

## UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America )

v. )

JOHN HAMMOND )

Case No. 19-1405-MJ )

)

)

)

)

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 15, 2019 in the county of Montgomery in the  
Eastern District of Pennsylvania, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 18, United States Code, Section 922(g)(1)	Possession of a firearm by a felon

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT (incorporated herein)

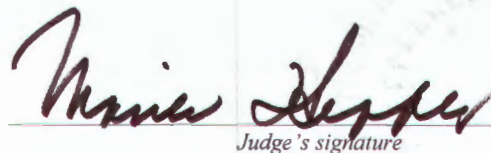
☒ Continued on the attached sheet.


Complainant's signature

Thomas M. Acerno, SA HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 8/16/19


Judge's signature

City and state: Philadelphia, Pennsylvania

Honorable Marilyn Heffley, U.S.M.J.

Printed name and title

## **AFFIDAVIT**

I, Thomas M. Acerno, am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations.

I have been an HSI Special Agent since 2010. Prior to joining HSI, I served for three years as an intelligence analyst with a financial task force, New York High Intensity Financial Crime Area ("HIFCA"). I am a graduate of Marist College, holding a Bachelor's degree in Criminal Justice, and I also earned a Master's degree in National Security and Public Safety from the University of New Haven. In the course of my experience as an HSI agent, I have been involved in the investigation of smuggling, commercial fraud violations, intellectual property rights violations, and other crimes. My experience as an HSI Special Agent has included the investigation of cases involving the use of computers and the internet to commit customs law violations and financial crimes. I have received training and have gained experience in computer-based crimes, computer evidence identification, computer evidence seizure and processing, and various other criminal laws and procedures.

This affidavit is being submitted in support of arrest warrant for JOHN HAMMOND for his possession of a firearm on August 15, 2019, after having been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1). The following information was compiled by me from a variety of sources to include my own personal knowledge and observations as well as the knowledge and observations of other law enforcement officers and agents with whom I am working on this investigation. Because this complaint is being submitted for a limited purpose. I have not included every fact known to me concerning this investigation, rather I have submitted only those facts and circumstances that I believe establish probable cause to support the issuance of an arrest warrant for JOHN HAMMOND. Based upon my investigation and my discussions with other law enforcement officials involved in this investigation, I have knowledge of the following facts:

1. On August 15, 2019, an international mail parcel addressed to JOHN HAMMOND containing four counterfeit Glock Trigger Switches was delivered to 1509 Staley Circle, Harleysville, Pennsylvania, 19438 ("The Subject Address") by a U.S. Postal Inspection Service Undercover Agent ("UCA"). Glock Trigger Switches are essentially conversion devices are designed and created for the sole purpose of converting semi-automatic Glock pistols into fully automatic machineguns. These devices vary by design and appearance but all, when properly installed on a semi-automatic Glock pistol, will allow the firearm to expel more than one projectile by a single pull of the trigger, at a rate of approximately 1,200 rounds per minute.

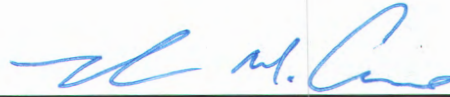


2. After the package was delivered, Homeland Security Investigation ("HSI") Agents, along with U.S. Postal Inspection Service, Pennsylvania State Police, and Towamencin Township Police Department executed a federal search and seizure warrant (19-1389-M) approved by the Honorable David R. Strawbridge, U.S.M.J., in the Eastern District of Pennsylvania on August 14, 2019, on The Subject Address.
3. During the execution of the search warrant, officers identified the package that was delivered to The Subject Address by the UCA on the kitchen table. The parcel of Glock Trigger Switches was recovered by the officers. An additional 25 Glock Trigger Switches were discovered and seized during the search of the residence.
4. During the execution of the search warrant Pennsylvania State Police Special Emergency Response Team ("SERT") encountered HAMMOND in bed in the basement of The Subject Address.
5. Officers observed two stacked fully loaded magazines in a Ruger Model AR-556, AR-15 semi-automatic rifle serial number 853-23200 ("AR-15") with one round in the chamber of the rifle, and two additional fully loaded magazines next to the AR-15. The AR-15 rifle was located next to a chair approximately six feet from where HAMMOND was first located by officers.
6. At approximately 11:00 a.m., as the residence was being searched, HAMMOND was advised of his *Miranda* rights and signed a waiver of *Miranda* right form. During a subsequent statement, HAMMOND stated that he possessed the AR-15 by adding accessories to the AR-15 to include a folding stock.
7. HAMMOND has a lengthy history of arrests and convictions for felonies which prohibit HAMMOND from possessing a firearm. These convictions include:
  - a. On May 8, 1997, HAMMOND was arrested by the Lower Providence Township, PA police department and charged with violations of the drug and cosmetic act for the manufacture of a controlled substance by person not registered. He was found guilty on December 11, 1997, and was sentenced to one year eleven months confinement.
  - b. On November 17, 2008, HAMMOND was arrested by the Pennsylvania State Police and charged with unlawful possession of a firearm. HAMMOND plead guilty, and on April 28, 2009, he was sentenced to three years confinement and one-year probation.
  - c. On December 15, 2008, HAMMOND was arrested by the Pennsylvania State Police and charged with theft by unlawful taking and criminal conspiracy. On March 17, 2009, HAMMOND was convicted and

sentenced to a minimum of 21 months confinement to a maximum of six years confinement and six years' probation.

8. I have spoken with a Special Agent from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) who specializes in interstate nexus analysis. I was informed that Ruger does not manufacture any firearms in the Commonwealth of Pennsylvania, therefore, the Ruger Model AR-556, AR-15 semi-automatic rifle, bearing serial number 853-23200 discussed in paragraph 5 above was manufactured outside the Commonwealth of Pennsylvania. Therefore, by virtue of its presence in Pennsylvania at the time of its seizure, the firearm traveled through the channels of interstate commerce sometime prior to its seizure.

13. Based on the above facts, I believe there is probable cause that defendant JOHN HAMMOND has violated Title 18 United States Code, Section 922(g)(1) (possession of a firearm by a felon).



**THOMAS M. ARCERNO**  
*Special Agent*  
*Department of Homeland Security*  
*Homeland Security Investigations*

Sworn and subscribed to before me

This 16<sup>th</sup> day of August, 2019



**HONORABLE MARILYN HEFFLEY**  
*United States Magistrate Judge*  
*Eastern District of Pennsylvania*